

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ISA ALI-YUZON GAUS,	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 2:24-cv-01271-JMG
	:	
MONTGOMERY COUNTY DISTRICT	:	
ATTORNEY'S OFFICE, et al.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 6th day of March, 2025, upon consideration of Petitioner's Petition for Writ of Habeas Corpus (ECF No. 1), Petitioner's Motion to Dismiss (ECF No. 2), Respondent's Response in Opposition to the Petition for Writ of Habeas Corpus (ECF No. 10), and The Report and Recommendation by Magistrate Judge Elizabeth T. Hey (ECF No. 15), **IT IS HEREBY ORDERED** as follows:¹

1. The Report and Recommendation (ECF No. 15) is **APPROVED** and **ADOPTED**.
2. The Petition for Writ of Habeas Corpus (ECF No. 1) is **DISMISSED as moot**.
3. The Motion to Dismiss (ECF No. 2) is **DENIED**.
4. There is no basis for the issuance of a certificate of appealability.

¹ “Where a habeas petition has been referred to the magistrate for a Report and Recommendation, the district court conducts a de novo review of those portions of the Report and Recommendation to which specific objections have been made.” *Enriques v. Dist. Att'y of Cnty. of Phila.*, 2022 WL 348644, at *2 (E.D. Pa. Feb. 4, 2022). In cases such as this one where no objections have been made, the Third Circuit has held that “the better practice is for the district judge to afford some level of review to dispositive legal issues raised by the report.” *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987).

5. The Clerk of Court is **DIRECTED** to mark this case **CLOSED**.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER

United States District Court Judge